IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05CV230

PETER D. GLENN,)	
)	
Plaintiff,)	
)	
v.)	ORDER AWARDING FEES
)	AND COSTS UNDER EAJA
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

THIS MATTER is before the court in accordance with 28 U.S.C. § 636(c), and on plaintiff's "Petition For Attorney's Fee and Costs" filed on June 16, 2006 (#25). By Response filed on June 19, 2006, the Commissioner advised that she will not oppose an award of \$1,192.00 in attorney's fees and costs, provided this is the only petition filed by plaintiff in this case under 28 U.S.C. § 2412(d). Defendant further advises that plaintiff's counsel consents.

ORDER

IT IS, THEREFORE, ORDERED that:

- (1) Plaintiff's "Petition For Attorney's Fees And Costs" (#25) is **ALLOWED**, and plaintiff is awarded attorneys fees and costs in amount of \$1,192.00 under EAJA; and
- (2) No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: June 20, 2006

Dennis L. Howell United States Magistrate Judge